

Message Text

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TO SECSTATE WASHDC 7224

INFO AMEMBASSY MEXICO CITY

C O N F I D E N T I A L SECTION 1 OF 4 USUN 4847

E.O. 11652: GDS

TAGS: UNCTAD, EGEN, UNGA, MX

SUBJ: CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES

1. QUOTED BELOW IS G-77 DRAFT OF CERDS GIVEN TO MISOFF BY MEMBER PORTUGUESE DELEGATION. USUN UNDERSTANDS THAT THIS DRAFT IS STILL BEING DISCUSSED BY G-77 AND CONSEQUENTLY THAT MODIFICATIONS MAY BE MADE IN IT BEFORE IT IS MADE AVAILABLE FORMALLY FOR DCS INFORMATION.

2. IN SUBSEQUENT CONVERSATION WITH MEXICAN DEL OFF, WE ARE INFORMED THAT G-77 WILL HAVE FINAL MEETING ON THE ATTACHED DRAFT TUESDAY, NOVEMBER 12 MEXICAN, WITHOUT REALIZING THAT USUN HAD COPY OF CERDS TEXT, SAID THAT HE DID NOT ANTICIPATE ANY SIGNIFICANT CHANGES IN THE TEXT AS IT STANDS NOW IN THE COURSE OF THE FINAL G-77 MEETING. HE FURTHER CONTINUED THAT THE MEXICAN DELEGATION AND THOSE LDCS WHO HAD FORMED PART OF GROUP OF 40 HAD PUT UP STRENUOUS BATTLE WITH OTHER LDCS TO RETAIN TEXTS AGREED TO IN THE COURSE OF UNCTAD NEGOTIATIONS. HE EXPRESSED OPINION THAT THE BATTLE HAD MORE FREQUENTLY

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THAN NOT BEEN SUCCESSFUL.

3. MEXICAN DELOFF ADDED THAT HE ANTICIPATED THAT A CONTACT GROUP WOULD BE ORGNIZED FOLLOWING THE PUBLICATION OF THE G-77 DRAFT. THIS WORKING GROUP WOULD IN TURN FORM FOUR OR FIVE SUB-GROUPS TO DEAL WITH "DIFFICULT" ISSUES POSED BY CERDS. THE MEXICAN SCHEDULE FORESEE INTRODUCTIONS OF THE CERDS INTO THE SECOND COMMITTEE AS EARLY AS NOVEMBER 18 BUT NLT NOVEMBER 25.

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CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES

PREAMBLE

REAFFIRMING THE FUNDAMENTAL PURPOSES OF THE UNITED NATIONS,IN PARTICULAR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY, THE DEVELOPMENT OF FRIENDLY RELATIONS AMONG NATIONS AND THE ACHIEVEMENT OF INTERNATIONAL CO-OPERATION IN SOLVING INTER-NATIONAL PROBLEMS IN THE ECONOMIC AND SOCIAL FIELDS,

AFFIRMING THE NEED FOR STRENGTHENING INTERNATIONAL CO-OPERATION IN THESE FIELDS,

REAFFIRMING FURTHER THE NEED FOR STRENGTHENING INTERNATIONAL CO-OPERATION FOR DEVELOPMENT,

DECLARING THAT IT IS A FUNDAMENTAL PURPOSE OF THIS CHARTER TO CODIFY AND DEVELOP RULES FOR THE ESTABLISHMENT OF A NEW INTERNATIONAL ECONOMIC ORDER, BASED ON EQUITY, SOVEREIGN EQUALITY, INTERDEPENDENCE, COMMON INTEREST AND CO-OPERATION AMONG ALL STATES;

DESIROUS OF CONTRIBUTING TO THE CREATION OF CONDITIONS FOR

A) THE ATTAINMENT OF WIDER PROSPERITY AMONG ALL COUNTRIES AND OF HIGHER STANDARDS OF LIVING FOR ALL PEOPLES;

B) THE PROMOTION BY THE ENTIRE INTERNATIONAL COMMUNITY OF ECONOMIC AND SOCIAL PROGRESS OF ALL COUNTRIES, ESPECIALLY DEVELOPING COUNTRIDS;

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C) ENCOURAGEMENT OF CO-OPERATION, ON THE BASIS OF MUTUAL ADVANTAGE AND EQUITABLE BENEFITS FOR ALL STATES CONCERNED, IN THE ECONOMIC, TRADE, SCIENTIFIC AND TECHNICAL FIELDS, REGARDLESS OF POLITICAL, ECONOMIC OR SOCIAL SYSTEMS;

D) OVERCOMING MAIN OBSTACLES IN THE WAY OF ECONOMIC DEVELOPMENT OF THE DEVELOPING COUNTRIES;

E) THE ACCELERATION OF THE ECONOMIC GROWTH OF DEVELOPING COUNTRIES WITH A VIEW TO BRIDGING THE ECONOMIC GAP BETWEEN DEVELOPING

AND DEVELOPED COUNTRIES;

F) THE PROTECTION, PERSERVATION AND ENHANCEMENT OF THE ENVIRONMENT.

MINDUFL OF THE NEED TO ESTABLISH AND MAINTAIN A JUST AND EQUITABLE ECONOMIC AND SOCIAL ORDER THROUGH;

A) THE ACHIEVEMENT OF MORE RATIONAL AND EQUITABLE INTERNATIONAL ECONOMIC RELATIONS AND THE ENCOURAGEMENT OF STRUCTURAL CHANGES IN THE WORLD ECONOMY;

B) THE CREATION OF CONDITIONS WHICH PERMIT THE FURTHER EXPANSION OF TRADE AND INTENSIFICATION OF ECONOMIC CO-OPERATION AMONG ALL NATIONS;

C) THE STRENGTHENING OF THE ECONOMIC INDEPENDENCE OF DEVELOPING COUNTRIES;

D) THE ESTABLISHMENT AND PROMOTION OF INTERNATIONAL ECONOMIC RELATION TAKING INTO ACCOUNT THE AGREED DIFFERENCES IN DEVELOPMENT OF THE DEVELOPING COUNTRIES AND THEIR SPECIFIC NEEDS.

DETERMINED TO PROMOTE CLLECTIVE ECONOMIC SECURITY FOR DEVELOPMENT, IN PARTICULAR OF THE DEVELOPING COUNTRIES, WITH STRICT RESPECT FOR THE SOVEREIGN EQUALITY OF EACH STATE AND THROUGH THE CO-OPRATION OF THE ENTIRE INTERNATIONAL COMMUNITY.

CONSIDERING THE GENUINE COOPERATION AMONG STATES, BASED ON JOINT CONSIDERATION OF AND CONCERTED ACTION REGARDING INTERNATIONAL ECONOMIC PROBLEMS, IS ESSENTIAL FOR FULFILLING THE INTERNATIONAL COMMUNITY'S COMMEN DESIRE TO ACHIEVE A JUST AND RATIONAL DEVELOPMENT OF ALL PARTS OF THE WORLD.

STRESSING THE IMPORTANCE OF ENSURING APPROPRIATE CONDITIONS FOR THE CONDUCT OF NORMAL ECONOMIC RELATIONS AMONG ALL STATES, IRRESPECTIVE OF DIFFERENCES IN SOCIAL AND ECONOMIC SYSTEMS, AND FOR THE FULL RESPECT FOR THE RIGHTS OF ALL PEOPLES, AS
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WELL AS THE STRENGTHENING OF INSTRUMENTS OF INTERNATIONAL ECONOMIC OCOOPERATION AS MEANS FOR THE CONSOLIDATION OF PEACE FOR THE BENEFIT OF ALL.

CONVINCED OF THE NEED TO DEVELOP A SYSTEM OF INTERNATIONAL ECONOMIC RELATIONS ON THE BASIS OF SOVEREIGN EQUALITY, MUTUAL AND EQUITABLE BENEFIT AND THE CLOSE INTERRELATIONSHIP OF THE INTERESTS OF ALL STATES.

REITERATING THAT THE RESPONSIBILITY FOR THE DEVELOPMENT OF EVERY COUNTRY RESTS PRIMARILY UPON ITSELF BUT THAT CONOMITANT AND EFFECTIVE INTERNATIONAL COOPERATION IS AN ESSENTIAL FACTOR FOR THE FULL ACHIEVEMENT OF ITS OWN DEVELOPMENT GOALS,

FIRMLY CONVINCED OF THE URGENT NEED TO EVOLVE A SUBSTANTIALY

IMPROVED SYSTEM OF INTERNATIONAL ECONOMIC RELATIONS,

THE GENERAL ASSEMBLY SOLEMNLY ADOPTS THIS CHARTER OF ECONOMIC
RIGHTS AND DUTIES OF STATES AS A FIRST STEP IN THE CODIFICATION
AND PROGRESSIVE DEVELOPMENT OF THIS SUBJECT:

CHAPTER I

FUNDAMENTALS OF INTERNATIONAL ECONOMIC RELATIONS

ECONOMIC AS WELL AS POLITICAL AND OTHER RELATIONS AMONG STATES
SHALL BE GOVERNED INTER ALIA BY THE FOLLOWING PRINCIPLES:

A) SOVEREIGNTY, TERRITORIAL INTEGRITY AND POLITICAL INDEPENDENCE
OF STATES:

B) SOVEREIGN EQUALITY OF ALL STATES;

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- C) NON-AGGRESSION;
- D) NON-INTERVENTION;
- E) MUTUAL AND EQUITABLE BENEFIT;
- F) PEACEFUL CO-EXISTENCE;

- G) EQUAL RIGHTS AND SELF-DETERMINATION OF PEOPLES;
- H) PEACEFUL SETTLEMENT OF DISPUTES;
- I) THE REMEDYING OF INJUSTICES WHICH HAVE BEEN BROUGHT ABOUT BY FORCE AND WHICH DEPRIVE A NATION OF THE NATURAL MEANS NECESSARY FOR ITS NORMAL DEVELOPMENT;
- J) FULFILMENT IN GOOD FAITH OF INTERNATIONAL OBLIGATIONS;
- K) RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOM;
- L) NO ATTEMPT TO SEEK HEGEMONY AND SPHERES OF INFLUENCE;
- M) PROMOTION OF INTERNATIONAL SOCIAL JUSTICE;
- N) INTERNATIONAL CO-OPERATION FOR DEVELOPMENT.

CHAPTER II

ECONOMIC RIGHTS AND DUTIES OF STATES

ARTICLE 1

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EVERY STATE HAS THE SOVEREIGN AND INALIENABLE RIGHT TO CHOOSE ITS ECONOMIC SYSTEM AS WELL AS ITS POLITICAL, SOCIAL AND CULTURAL SYSTEMS IN ACCORDANCE WITH THE WILL OF ITS PEOPLE, WITHOUT OUTSIDE INTERFERENCE, COERCION OR THREAT IN ANY FORM WHATSOEVER.

ARTICLE 2

1. EVERY STATE HAS AND SHALL FREELY EXERCISE FULL PERMANENT SOVEREIGNTY, INCLUDING POSSESSION, USE AND DISPOSAL, OVER ALL ITS WEALTH, NATURAL RESOURCES AND ECONOMIC ACTIVITIES.

2. EACH STATE HAS THE RIGHT:

A) TO REGULATE AND EXERCISE AUTHORITY OVER FOREIGN INVESTMENT WITHIN ITS NATIONAL JURISDICTION IN ACCORDANCE WITH ITS LAWS AND REGULATIONS AND IN CONFORMITY WITH ITS NATIONAL OBJECTIVES AND PRIORITIES. NO STATE WHOSE NATIONALS INVEST IN A FOREIGN COUNTRY SHALL DEMAND PRIVILEGED TREATMENT FOR SUCH INVESTORS;

B) TO REGULATE AND SUPERVISE THE ACTIVITIES OF TRANSNATIONAL CORPORATIONS WITHIN ITS NATIONAL JURISDICTION AND TAKE MEASURES TO ENSURE THAT SUCH ACTIVITIES COMPLY WITH ITS LAWS, RULES AND REGULATIONS AND CONFORM WITH ITS ECONOMIC AND SOCIAL POLICIES. TRANSNATIONAL CORPORATIONS SHALL NOT INTERVENE IN THE INTERNAL AFFAIRS OF A HOST STATE. EVERY STATE SHOULD, WITH FULL REGARD FOR ITS SOVEREIGN RIGHTS, CO-OPERATE WITH OTHER STATES IN THE EXERCISE OF THE RIGHT SET FORTH IN THIS SUB-PARAGRAPH;

C) TO NATIONALIZE, EXPROPRIATE, REQUISITION OR TRANSFER

OWNERSHIP OF FOREIGN PROPERTY IN WHICH CASE APPROPRIATE
COMPENSATION SHOULD BE PAID BY THE STATE TAKING SUCH MEASURES,
PROVIDED THAT ALL RELEVANT CIRCUMSTANCES CALL FOR IT. IN ANY CASE
WHERE THE QUESTION OF COMPENSATION GIVES RISE TO A CONTROVERSY,
IT SHALL BE SETTLED UNDER THE DOMESTIC LAW OF THE NATIONALIZING
STATE AND BY ITS TRIBUNALS, UNLESS IT IS FREELY AND MUTUALLY
AGREED BY THE STATES CONCERNED THAT OTHER PEACEFUL MEANS BE
SOUGHT ON THE BASIS OF THE SOVEREIGN EQUALITY OF STATES
AND IN ACCORDANCE WITH THE PRINCIPLE OF FREE CHOICE OF MEANS.

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ARTICLE 3

ALTERNATIVE 1

IN THE EXPLOITATION OF NATURAL RESOURCES SHARED BY TWO OR MORE
COUNTRIES, EACH STATE MUST CO-OPERATE ON THE BASIS OF A SYSTEM
OF INFORMATION AND PRIOR CONSULTATIONS IN ORDER TO ACHIEVE
OPTIMUM USE OF SUCH RESOURCES WITHOUT CAUSING DAMAGE TO
THE LEGITIMATE INTERESTS OF OTHERS.

ALTERNATIVE 2

STATES SHOULD EVOLVE, WHENEVER NECESSARY AND APPROPRIATE
AND WITHIN THE FRAMEWORK OF THE NORMAL RELATIONS EXISTING
BETWEEN THEM, PERTINENT RULES ON THE EXPLOITATION AND DEVELOPMENT,
INCLUDING CONCERTED ACTION, OF THEIR SHARED NATURAL RESOURCES,
WITH FULL RESPECT FOR THE SOVEREIGNTY OF EACH STATE OVER ITS
NATURAL RESOURCES, FRIENDLY CO-OPERATION AND GOOD NEIGHBORLINESS
AND ITS RESPONSIBILITY FOR SIGNIFICANT DAMAGE ACTUALLY CAUSED
TO AREAS BEYOND ITS NATIONAL JURISDICTION.

ARTICLE 4

EVERY STATE HAS THE RIGHT TO ENGAGE IN INTERNATIONAL TRADE AND
OTHER FORMS OF ECONOMIC CO-OPERATION IRRESPECTIVE OF ANY
DIFFERENCES IN POLITICAL, ECONOMIC AND SOCIAL SYSTEMS.
NO STATE SHALL BE SUBJECTED TO DISCRIMINATION OF ANY
KIND BASED SOLELY ON SUCH DIFFERENCES. IN THE PURSUIT OF
INTERNATIONAL TRADE AND OTHER FORMS OF ECONOMIC CO-OPERATION,
EVERY STATE IS FREE TO CHOOSE THE FORMS OF ORGANIZATION OF
ITS FOREIGN ECONOMIC RELATIONS AND TO ENTER INTO BILATERAL AND
MULTILATERAL ARRANGEMENTS CONSISTENT WITH ITS INTERNATIONAL
OBLIGATIONS AND WITH THE NEEDS OF INTERNATIONAL ECONOMIC
CO-OPERATION.

ARTICLE 5

ALL STATES HAVE THE RIGHT TO ASSOCIATE IN ORGANIZATIONS OF

COMMODITY PRODUCERS IN ORDER TO DEVELOP THEIR NATIONAL
ECONOMIES TO ACHIEVE STABLE FINANCING FOR THEIR
DEVELOPMENT, AND IN PURSUANCE OF THEIR AIMS ASSISTING
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IN THE PROMOTION OF SUSTAINED GROWTH OF THE WORLD ECONOMY,
IN PARTICULAR ACCELERATING THE DEVELOPMENT OF
DEVELOPING COUNTRIES. CORRESPONDINGLY ALL STATES HAVE
THE DUTY TO RESPECT THAT RIGHT BY REFRAINING FROM APPLYING
ECONOMIC AND POLITICAL MEASURES THAT WOULD LIMIT IT.

ARTICLE 6

IT IS THE DUTY OF STATES TO CONTRIBUTE TO THE DEVELOPMENT OF
INTERNATIONAL TRADE OF GOODS PARTICULARLY BY MEANS OF ARRANGEMENTS
WHERE APPROPRIATE AND TAKING INTO ACCOUNT THE INTERESTS OF
PRODUCERS AND CONSUMERS. ALL STATES SHARE THE RESPONSIBILITY
TO PROMOTE THE REGULAR FLOW AND ACCESS, OF ALL COMMERCIAL
GOODS TRADED AT STABLE, REMUNERATIVE AND EQUITABLE PRICES,
THUS CONTRIBUTING TO THE EQUITABLE DEVELOPMENT OF THE WORLD
ECONOMY WHILE TAKING INTO ACCOUNT, IN PARTICULAR, THE
INTERESTS OF DEVELOPING COUNTRIES.

ARTICLE 7

EVERY STATE HAS THE PRIMARY RESPONSIBILITY TO PROMOTE THE
ECONOMIC, SOCIAL AND CULTURAL DEVELOPMENT OF ITS
PEOPLE. TO THIS END, EACH STATE HAS THE RIGHT AND THE
RESPONSIBILITY TO CHOOSE ITS MEANS AND GOALS OF DEVELOPMENT,
FULLY TO MOBILIZE AND USE ITS RESOURCES, TO IMPLEMENT
PROGRESSIVE ECONOMIC AND SOCIAL REFORMS AND TO ENSURE THE FULL
PARTICIPATION OF ITS PEOPLE ON THE
PROCESS AND BENEFITS OF DEVELOPMENT. ALL STATES HAVE THE
DUTY, INDIVIDUALLY AND COLLECTIVELY, TO CO-OPERATE IN
ORDER TO ELIMINATE OBSTACLES THAT HINDER SUCH
MOBILIZATION AND USE.

ARTICLE 8

STATES SHOULD CO-OPERATE IN FACILITATING MORE RATIONAL AND EQUITABLE
INTERNATIONAL ECONOMIC RELATIONS AND IN ENCOURAGING STRUCTURAL
CHANGES IN THE CONTEXT OF A BALANCED WORLD ECONOMY IN HARMONY
WITH THE NEEDS AND INTERESTS OF ALL COUNTRIES, ESPECIALLY
DEVELOPING COUNTRIES, AND SHOULD TAKE APPROPRIATE MEASURES
TO THIS END.

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ARTICLE 9

ALL STATES HAVE THE RESPONSIBILITY TO CO-OPERATE IN THE ECONOMIC, SOCIAL, CULTURAL, SCIENTIFIC AND TECHNOLOGICAL FIELDS FOR THE PROMOTION OF ECONOMIC AND SOCIAL PROGRESS THROUGHOUT THE WORLD, ESPECIALLY THAT OF THE DEVELOPING COUNTRIES.

ARTICLE 10

ALL STATES ARE JURIDICALLY EQUAL AND, AS EQUAL MEMBER OF THE INTERNATIONAL COMMUNITY, HAVE THE RIGHT TO PARTICIPATE FULLY AND EFFECTIVELY IN THE INTERNATIONAL DECISION-MAKING PROCESS IN THE SOLUTION OF WORLD ECONOMIC, FINANCIAL AND MONETARY PROBLEMS, INTER ALIA, THROUGH THE APPROPRIATE INTERNATIONAL ORGANIZATIONS IN ACCORDANCE WITH THEIR EXISTING AND EVOLVING RULES, AND TO SHARE EQUITABLY IN THE BENEFITS RESULTING THEREFROM.

ARTICLE 11

ALL STATES SHOULD CO-OPERATE TO STRENGTHEN AND CONTINUOUSLY IMPROVE THE EFFICIENCY OF INTERNATIONAL ORGANIZATIONS IN IMPLEMENTING MEASURES TO STIMULATE THE GENERAL ECONOMIC PROGRESS OF ALL COUNTRIES, PARTICULARLY OF DEVELOPING COUNTRIES, AND THEREFORE SHOULD CO-OPERATE TO ADAPT THEM, WHEN APPROPRIATE, TO THE CHANGING NEEDS OF INTERNATIONAL ECONOMIC CO-OPERATION.

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ARTICLE 12

1. STATES HAVE THE RIGHT, IN AGREEMENT WITH THE PARTIES CONCERNED, TO PARTICIPATE IN SUB-REGIONAL, REGIONAL AND INTER-REGIONAL COOPERATION IN THE PURSUIT OF THEIR ECONOMIC AND SOCIAL DEVELOPMENT. ALL STATES ENGAGED IN SUCH COOPERATION HAVE THE DUTY TO ENSURE THAT THE POLICIES OF THOSE GROUPINGS TO WHICH THEY BELONG CORRESPOND TO THE PROVISIONS OF THE CHARTER AND ARE OUTWARDLOOKING, CONSISTENT WITH THEIR INTERNATIONAL OBLIGATIONS AND WITH THE NEEDS OF INTERNATIONAL ECONOMIC COOPERATION AND HAVE FULL REGARD FOR THE LEGITIMATE INTERESTS OF THIRD COUNTRIES, ESPECIALLY DEVELOPING COUNTRIES.

2. IN THE CASE OF GROUPINGS TO WHICH THE STATES CONCERNED HAVE TRANSFERRED OR MAY TRANSFER CERTAIN COMPETENCES AS REGARDS MATTERS THAT COME WITHIN THE SCOPE OF THIS CHARTER, THOSE STATES SHALL ENSURE, IN REGARD TO SUCH MATTERS, THAT THE GROUPINGS IN WHICH THEY PARTICIPATE ACT IN A MANNER CONSISTENT WITH THEIR RESPONSIBILITIES AS MEMBERS OF SUCH GROUPINGS AND IN ACCORDANCE WITH THE PROVISIONS OF THIS CHARTER.

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ARTICLE 13

1. EVERY STATE HAS THE RIGHT TO BENEFIT FROM THE ADVANCES AND DEVELOPMENTS IN SCIENCE AND TECHNOLOGY FOR THE ACCELERATION OF ITS ECONOMIC AND SOCIAL DEVELOPMENT.

2. ALL STATES SHOULD PROMOTE INTERNATIONAL SCIENTIFIC AND TECHNOLOGICAL COOPERATION AND THE TRANSFER OF TECHNOLOGY, WITH PROPER REGARD FOR ALL LEGITIMATE INTERESTS INCLUDING, INTER ALIA, THE RIGHTS AND DUTIES OF HOLDERS, SUPPLIERS AND RECIPIENTS OF TECHNOLOGY. IN PARTICULAR, ALL STATES SHOULD FACILITATE: THE ACCESS OF DEVELOPING COUNTRIES TO THE ACHIEVEMENTS OF MODERN SCIENCE AND TECHNOLOGY, THE TRANSFER OF TECHNOLOGY AND THE CREATION OF INDIGENEOUS TECHNOLOGY FOR THE BENEFIT OF THE DEVELOPING COUNTRIES IN FORMS AND IN ACCORDANCE WITH PROCEDURES WHICH ARE SUITED TO THEIR ECONOMIES AND THEIR NEEDS.

3. ACCORDINGLY, DEVELOPED COUNTRIES SHOULD COOPERATE WITH THE

DEVELOPING COUNTRIES IN THE ESTABLISHMENT, STRENGTHENING AND DEVELOPMENT OF THEIR SCIENTIFIC AND TECHNOLOGICAL INFRASTRUCTURES AND THEIR SCIENTIFIC RESEARCH AND TECHNOLOGICAL ACTIVITIES SO AS TO HELP TO EXPAND AND TRANSFORM THE ECONOMIES OF DEVELOPING COUNTRIES.

4. ALL STATES SHOULD COOPERATE IN EXPLORING WITH A VIEW TO EVOLVING FURTHER INTERNATIONALLY ACCEPTED GUIDELINES OR REGULATIONS FOR THE TRANSFER OF TECHNOLOGY TAKING FULLY INTO ACCOUNT THE INTERESTS OF DEVELOPING COUNTRIES.

ARTICLE 14

EVERY STATE HAS THE DUTY TO CO-OPERATE IN PROMOTING A STEADY AND INCREASING EXPANSION AND LIBERALIZATION OF WORLD TRADE AND AN IMPROVEMENT IN THE WELFARE AND LIVING STANDARDS OF ALL PEOPLES, IN PARTICULAR THOSE OF DEVELOPING COUNTRIES. ACCORDINGLY, ALL STATES SHOULD CO-OPERATE INTERALIA, TOWARDS THE PROGRESSIVE DISMANTLING OF OBSTACLES TO TRADE AND THE IMPROVEMENT OF THE INTERNATIONAL FRAMEWORK FOR THE CONDUCT OF WORLD TRADE AND, TO THESE ENDS, COORDINATED EFFORTS SHALL BE MADE TO SOVVE IN AN EQUITABLE WAY THE TRADE PROBLEMS OF CONFIDENTIAL

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ALL COUNTRIES TAKING INTO ACCOUNT THE SPECIFIC TRADE PROBLEMS OF THE DEVELOPING COUNTRIES. IN THIS CONNEXION, STATES SHALL TAKE MEASURES AIMED AT SECURING ADDITIONAL BENEFITS FOR THE INTERNATIONAL TRADE OF DEVELOPING COUNTRIES SO AS TO ACHIEVE A SUBSTANTIAL INCREASE IN THEIR FOREIGN EXCHANGE EARNINGS, THE DIVERSIFICATION OF THEIR EXPORTS, THE ACCELERATION OF THE RATE OF GROWTH OF THEIR TRADE, TAKING INTO ACCOUNT THEIR DEVELOPMENT NEEDS, AND IMPROVEMENT IN THE POSSIBILITIES FOR THESE COUNTRIES TO PARTICIPATE IN THE EXPANSION OF WORLD TRADE AND A BALANCE MORE FAVOURABLE TO DEVELOPING COUNTRIES IN THE SHARING OF THE ADVANTAGES RESULTING FROM THIS EXPANSION, THROUGH, IN THE LARGEST POSSIBLE MEASURE, A SUBSTANTIAL IMPROVEMENT IN THE CONDITIONS OF ACCESS FOR THE PRODUCTS OF INTEREST TO THE DEVELOPING COUNTRIES AND, WHEREVER APPROPRIATE, MEASURES DESIGNED TO ATTAIN STABLE, EQUITABLE AND REMUNERATIVE PRICES FOR PRIMARY PRODUCTS.

ARTICLE 15

ALL STATES HAVE THE DUTY TO PROMOTE THE ACHIEVEMENT OF GENERAL AND COMPLETE DISARMAMENT UNDER EFFECTIVE INTERNATIONAL CONTROL AND TO UTILIZE THE RESOURCES FREED BY EFFECTIVE DISARMAMENT MEASURES FOR THE ECONOMIC AND SOCIAL DEVELOPMENT OF COUNTRIES, ALLOCATING A SUBSTANTIAL PORTION OF SUCH RESOURCES AS ADDITIONAL MEANS FOR THE DEVELOPMENT NEEDS OF DEVELOPING COUNTRIES.

ARTICLE 16

1. IT IS THE RIGHT AND DUTY OF ALL STATES, INDIVIDUALLY AND COLLECTIVELY, TO ELIMINATE COLONIALISM, APARTHEID, RACIAL DISCRIMINATION, NEO-COLONIALISM AND ALL FORMS OF FOREIGN AGGRESSION, OCCUPATION AND DOMINATION, AND THE ECONOMIC AND SOCIAL CONSEQUENCES THEREOF, AS A PRE-REQUISITE FOR DEVELOPMENT. STATES WHICH PRACTICE SUCH COERCIVE POLICIES ARE ECONOMICALLY RESPONSIBLE TO THE COUNTRIES, TERRITORIES AND PEOPLES AFFECTED FOR THE RESTITUTION AND FULL COMPENSATION FOR THE EXPLOITATION AND DEPLETION OF, AND DAMAGES TO, THE NATURAL AND ALL OTHER RESOURCES OF THOSE COUNTRIES, TERRITORIES AND PEOPLES. IT IS THE DUTY OF ALL STATES TO EXTEND ASSISTANCE TO THEM.

2. NO STATE HAS THE RIGHT TO PROMOTE OR ENCOURAGE INVESTMENTS
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THAT MAY CONSTITUTE AN OBSTACLE TO THE LIBERATION OF A
TERRITORY OCCUPIED BY FORCE.

ARTICLE 17

INTERNATIONAL CO-OPERATION FOR DEVELOPMENT IS THE SHARED GOAL AND COMMON DUTY OF ALL STATES. EVERY STATE SHOULD CO-OPERATE WITH THE EFFORTS OF DEVELOPING COUNTRIES TO ACCELERATE THEIR ECONOMIC AND SOCIAL DEVELOPMENT BY PROVIDING FAVOURABLE EXTERNAL CONDITIONS AND BY EXTENDING ACTIVE ASSISTANCE TO THEM, CONSISTENT WITH THEIR DEVELOPMENT NEEDS AND OBJECTIVES, WITH STRICT RESPECT FOR THE SOVEREIGN EQUALITY OF STATES AND FREE OF ANY CONDITIONS DEROGATING FROM THEIR SOVEREIGNTY.

ARTICLE 18

DEVELOPED COUNTRIES SHOULD EXTEND, IMPROVE AND ENLARGE THE SYSTEM OF GENERALIZED NON-RECIPROCAL AND NON-DISCRIMINATORY TARIFF PREFERENCES TO THE DEVELOPING COUNTRIES CONSISTENT WITH THE RELEVANT AGREED CONCLUSIONS AND RELEVANT DECISIONS AS ADOPTED ON THIS SUBJECT, IN THE FRAMEWORK OF THE COMPETENT INTERNATIONAL ORGANIZATIONS. DEVELOPED COUNTRIES SHOULD ALSO GIVE SERIOUS CONSIDERATION TO THE ADOPTION OF OTHER DIFFERENTIAL MEASURES, IN AREAS WHERE THIS IS FEASIBLE AND APPROPRIATE AND IN WAYS WHICH WILL PROVIDE SPECIAL AND MORE FAVOURABLE TREATMENT, IN ORDER TO MEET TRADE AND DEVELOPMENT NEEDS OF THE DEVELOPING COUNTRIES. IN THE CONDUCT OF INTERNATIONAL ECONOMIC RELATIONS, THE DEVELOPED COUNTRIES SHOULD ENDEAVOUR TO AVOID MEASURES HAVING A NEGATIVE EFFECT ON THE DEVELOPMENT OF THE NATIONAL ECONOMIES OF THE DEVELOPING COUNTRIES AS PROMOTED BY GENERALIZED TARIFF PREFERENCES AND OTHER GENERALLY AGREED DIFFERENTIAL MEASURES IN THEIR FAVOUR.

ARTICLE 19

WITH A VIEW TO ACCELERATING THE ECONOMIC GROWTH OF DEVELOPING COUNTRIES AND BRIDGING THE ECONOMIC GAP BETWEEN DEVELOPED AND DEVELOPING COUNTRIES, DEVELOPED COUNTRIES SHOULD GRANT GENERALIZED PREFERENTIAL, NON-RECIPROCAL AND NON-DISCRIMINATORY TREATMENT TO DEVELOPING COUNTRIES IN THOSE FIELDS OF INTERNATIONAL ECONOMIC COOPERATION WHERE IT MAY BE FEASIBLE.

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ARTICLE 20

DEVELOPING COUNTRIES SHOULD, IN THEIR EFFORTS TO INCREASE THEIR OVERALL TRADE, GIVE DUE ATTENTION TO THE POSSIBILITY OF EXPANDING THEIR TRADE WITH SOCIALIST COUNTRIES, BY GRANTING TO THESE COUNTRIES CONDITIONS FOR TRADE NOT INFERIOR TO THOSE GRANTED NORMALLY TO THE DEVELOPED MARKET ECONOMY COUNTRIES.

ARTICLE 21

DEVELOPING COUNTRIES SHOULD ENDEAVOUR TO PROMOTE THE EXPANSION OF THEIR MUTUAL TRADE AND TO THIS END, MAY, IN ACCORDANCE WITH THE EXISTING AND EVOLVING PROVISIONS AND PROCEDURES OF INTERNATIONAL AGREEMENTS WHERE APPLICABLE, GRANT TRADE PREFERENCES TO OTHER DEVELOPING COUNTRIES WITHOUT BEING OBLIGED TO EXTEND SUCH PREFERENCES TO DEVELOPED COUNTRIES, PROVIDED THESE ARRANGEMENTS DO NOT CONSTITUTE AN IMPEDIMENT TO GENERAL TRADE LIBERALIZATION AND EXPANSION.

ARTICLE 22

1. ALL STATES SHOULD RESPOND TO THE GENERALLY RECOGNIZED OR MUTUALLY AGREED DEVELOPMENT NEEDS AND OBJECTIVES OF DEVELOPING COUNTRIES BY PROMOTING INCREASED NET FLOWS OF REAL RESOURCES TO THE DEVELOPING COUNTRIES FROM ALL SOURCES, TAKING INTO ACCOUNT ANY OBLIGATIONS AND COMMITMENTS UNDERTAKEN BY THE STATES CONCERNED, IN ORDER TO REINFORCE THE EFFORTS OF DEVELOPING COUNTRIES TO ACCELERATE THEIR ECONOMIC AND SOCIAL DEVELOPMENT.

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INFO OCT-01 ARA-06 ISO-00 AF-04 EA-06 EUR-12 NEA-06 RSC-01

CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 FRB-01 OMB-01 TAR-01

SWF-01 AGR-05 AID-05 COME-00 EB-04 LAB-01 OIC-02

SIL-01 STR-01 TRSE-00 CIEP-01 CEA-01 /112 W

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TO SECSTATE WASHDC 7227

INFO AMEMBASSY MEXICO CITY

C O N F I D E N T I A L SECTION 4 OF 4 USUN 4847

2. IN THIS CONTEXT, CONSISTENT WITH THE AIMS AND OBJECTIVES MENTIONED ABOVE AND TAKING INTO ACCOUNT ANY OBLIGATIONS AND COMMITMENTS UNDERTAKEN IN THIS REGARD, IT SHOULD BE THEIR ENDEAVOUR TO INCREASE THE NET AMOUNT OF FINANCIAL FLOWS FROM OFFICIAL SOURCES TO DEVELOPING COUNTRIES AND TO IMPROVE THE TERMS AND CONDITIONS.

3. THE FLOW OF DEVELOPMENT ASSISTANCE RESOURCES SHOULD INCLUDE ECONOMIC AND TECHNICAL ASSISTANCE.

ARTICLE 23

TO ENHANCE THE EFFECTIVE MOBILIZATION OF THEIR OWN RESOURCES, THE DEVELOPING COUNTRIES SHOULD STRENGTHEN THEIR ECONOMIC CO-OPERATION AND EXPAND THEIR MUTUAL TRADE SO AS TO ACCELERATE THEIR ECONOMIC AND SOCIAL DEVELOPMENT. ALL COUNTRIES, ESPECIALLY DEVELOPED COUNTRIES, INDIVIDUALLY AS WELL AS THROUGH THE COMPETENT INTERNATIONAL ORGANIZATIONS OF WHICH THEY ARE MEMBERS, SHOULD PROVIDE APPROPRIATE AND EFFECTIVE SUPPORT AND CO-OPERATION.

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ARTICLE 24

ALL STATES HAVE THE DUTY TO CONDUCT THEIR MUTUAL ECONOMIC RELATIONS IN A MANNER WHICH TAKES INTO ACCOUNT THE INTERESTS OF

OTHER COUNTRIES. IN PARTICULAR, ALL STATES SHOULD AVOID PREJUDICING THE INTERESTS OF DEVELOPING COUNTRIES.

ARTICLE 25

IN FURTHERANCE OF WORLD ECONOMIC DEVELOPMENT, THE INTERNATIONAL COMMUNITY, ESPECIALLY ITS DEVELOPED MEMBERS, SHALL PAY SPECIAL ATTENTION TO THE PARTICULAR NEEDS AND PROBLEMS OF THE LEAST DEVELOPED AMONG THE DEVELOPING COUNTRIES, OF LAND-LOCKED DEVELOPING COUNTRIES AND ALSO ISLAND DEVELOPING COUNTRIES, WITH A VIEW TO HELPING THEM TO OVERCOME THEIR PARTICULAR DIFFICULTIES AND THUS CONTRIBUTE TO THEIR ECONOMIC AND SOCIAL DEVELOPMENT.

ARTICLE 26

ALL STATES HAVE THE DUTY TO CO-EXIST IN TOLERANCE AND LIVE TOGETHER IN PEACE, IRRESPECTIVE OF DIFFERENCES IN POLITICAL, ECONOMIC, SOCIAL AND CULTURAL SYSTEMS, AND TO FACILITATE TRADE BETWEEN STATES HAVING DIFFERENT ECONOMIC AND SOCIAL SYSTEMS. INTERNATIONAL TRADE SHOULD BE CONDUCTED WITHOUT PREJUDICE TO GENERALIZED NON-DISCRIMINATORY AND NON-RECIPROCAL PREFERENCES IN FAVOUR OF DEVELOPING COUNTRIES, ON THE BASIS OF MUTUAL ADVANTAGE, EQUITABLE BENEFITS AND THE EXCHANGE OF MOST-FAVOURLED-NATION TREATMENT.

ARTICLE 27

1. EVERY STATE HAS THE RIGHT TO FULLY ENJOY THE BENEFITS OF WORLD INVISIBLE TRADE AND TO ENGAGE IN THE EXPANSION OF SUCH TRADE.

2. WORLD INVISIBLE TRADE, BASED ON EFFICIENCY AND MUTUAL AND EQUITABLE BENEFIT, FURTHERING THE EXPANSION OF THE WORLD ECONOMY, IS THE COMMON GOAL OF ALL STATES. THE ROLE OF DEVELOPING COUNTRIES IN WORLD INVISIBLE TRADE SHOULD BE ENHANCED AND STRENGTHENED CONSISTENT WITH THE ABOVE OBJECTIVES, CONFIDENTIAL

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PARTICULAR ATTENTION BEING PAID TO THE SPECIAL NEEDS OF DEVELOPING COUNTRIES.

3. ALL STATES SHOULD CO-OPERATE WITH DEVELOPING COUNTRIES IN THEIR ENDEAVOURS TO INCREASE THEIR CAPACITY TO EARN FOREIGN EXCHANGE FROM INVISIBLE TRANSACTIONS, IN ACCORDANCE WITH THE POTENTIAL AND NEEDS OF EACH DEVELOPING COUNTRY, AND CONSISTENT WITH THE OBJECTIVES MENTIONED ABOVE.

ARTICLE 28

ALL STATES HAVE THE DUTY TO CO-OPERATE IN ACHIEVING ADJUSTMENTS IN THE PRICES OF EXPORTS OF DEVELOPING COUNTRIES IN RELATION TO PRICES OF THEIR IMPORTS, SO AS TO PROMOTE JUST AND EQUITABLE TERMS OF TRADE FOR THEM, IN A MANNER WHICH IS REMUNERATIVE FOR PRODUCERS AND EQUITABLE FOR PRODUCERS AND CONSUMERS.

CHAPTER III

COMMON RESPONSIBILITIES TOWARDS THE INTERNATIONAL COMMUNITY

ARTICLE 29

THE SEA-BED AND OCEAN FLOOR AND THE SUBSOIL THEREOF, BEYOND THE LIMITES OF NATIONAL JURISDICTION, AS WELL AS THE RESOURCES OF THE AREA, ARE THE COMMON HERITAGE OF MANKIND. ON THE BASIS OF THE PRINCIPLES ADOPTED BY THE GENERAL ASSEMBLY IN RESOLUTION 2749 (XXV), ALL STATES SHALL ENSURE THAT THE EXPLORATION OF THE AREA AND EXPLOITATION OF ITS RESOURCES ARE CARRIED OUT EXCLUSIVELY FOR PEACEFUL PURPOSES AND THAT THE BENEFITS DERIVED THEREFROM ARE SHARED EQUITABLY BY ALL STATES, TAKING INTO ACCOUNT THE PARTICULAR INTERESTS AND NEEDS OF DEVELOPING COUNTRIES; AND INTERNATIONAL REGIME APPLYING TO THE AREA AND ITS RESOURCES AND INCLUDING APPROPRIATE INTERNATIONAL MACHINERY TO GIVE EFFECT TO ITS PROVISIONS SHALL BE ESTABLISHED BY AN INTERNATIONAL TREATY OF A UNIVERSAL CHARACTER, GENERALLY AGREED UPON.

ARTICLE 30

THE PROTECTION, PRESERVATION AND THE ENHANCEMENT OF THE ENVIRON-
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MENT FOR THE PRESENT AND FUTURE GENERATIONS IS THE RESPONSIBILITY OF ALL STATES. ALL STATES SHALL ENDEAVOUR TO ESTABLISH THEIR OWN ENVIRONMENTAL AND DEVELOPMENTAL POLICIES IN CONFORMITY WITH SUCH RESPONSIBILITY. THE ENVIRONMENTAL POLICIES OF ALL STATES SHOULD ENHANCE AND NOT ADVERSELY AFFECT THE PRESENT AND FUTURE DEVELOPMENT POTENTIAL OF DEVELOPING COUNTRIES. ALL STATES HAVE THE RESPONSIBILITY TO ENSURE THAT ACTIVITIES WITHIN THEIR JURISDICTION OR CONTROL DO NOT CAUSE DAMAGE TO THE ENVIRONMENT OF OTHER STATES OR OF AREAS BEYOND THE LIMITS OF NATIONAL JURISDICTION. ALL STATES SHOULD COOPERATE IN EVOLVING INTERNATIONAL NORMS AND REGULATIONS IN THE FIELDS OF THE ENVIRONMENT.

ARTICLE 31

ALL STATES HAVE THE DUTY TO CONTRIBUTE TO THE BALANCED EXPANSION OF THE WORLD ECONOMY, TAKING DULY INTO ACCOUNT THE CLOSE INTER-RELATIONSHIP BETWEEN THE WELL-BEING OF THE DEVELOPED COUNTRIES

AND THE GROWTH AND DEVELOPMENT OF THE DEVELOPING COUNTRIES
AND THAT THE PROSPERITY OF THE INTERNATIONAL COMMUNITY
AS A WHOLE DEPENDS
UPON THE PROSPERITY OF ITS CONSTITUENT PARTS.

ARTICLE 32

NO STATE MAY USE OR ENCOURAGE THE USE OF ECONOMIC, POLITICAL
OR ANY OTHER TYPE OF MEASURE TO COERCE ANOTHER STATE IN ORDER
TO OBTAIN FROM IT THE SUBORDINATION OF THE EXERCISE OF
ITS SOVEREIGN RIGHTS AND TO SECURE FROM IT ADVANTAGES
OF ANY KIND.

ARTICLE 33

1. NOTHING IN THIS CHARTER SHALL BE CONSTRUED AS IMPAIRING OR
DEROGATING FROM THE PROVISIONS OF THE CHARTER OF THE UNITED
NATIONS OR ACTIONS TAKEN IN PURSUANCE THEREOF.

2. IN THEIR INTERPRETATION AND APPLICATION, THE PROVISIONS OF
THE PRESENT CHARTER ARE INTER-RELATED AND EACH PROVISION
SHOULD BE CONSTRUED IN THE CONTEXT OF THE OTHER PROVISIONS.

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ARTICLE 34

AN ITEM ON THE CHARTER OF ECONOMIC RIGHTS AND DUTIES
OF STATES SHALL BE INSCRIBED ON THE AGENDA OF THE XXX SESSION
OF THE GENERAL ASSEMBLY, AND THEREAFTER ON THE AGENDA OF
EVERY FIFTH SESSION. IN THIS WAY A SYSTEMATIC AND COMPREHENSIVE
CONSIDERATION OF THE IMPLEMENTATION OF THE CHARTER, COVERING
BOTH PROGRESS ACHIEVED AND ANY IMPROVEMENTS WHICH MIGHT BECOME
NECESSARY, WOULD BE CARRIED OUT AND APPROPRIATE MEASURES
RECOMMENDED. SUCH CONSIDERATION SHOULD TAKE INTO ACCOUNT THE
EVOLUTION OF ALL THE ECONOMIC, SOCIAL, LEGAL AND OTHER
FACTORS RELATED TO THE PRINCIPLES UPON WHICH THIS CHARTER
IS BASED AND ON ITS PURPOSE. UNQTE
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